



***Aboriginal news from across Turtle Island and beyond
August 19-23, 2013***

Alberta sets new rules for industry on aboriginal consultation

[Calgary Herald](#)

August 20, 2013 8:09 AM

Bob Weber



Eriel Deranger is the communications co-ordinator for the Athabasca Chipewyan First Nation. She says that she wants to see First Nations developing resources together instead of the government always having the upper hand. Photograph by: Rick MacWilliam

EDMONTON — Alberta has set new rules on how resource industries must deal with aboriginal bands, despite the objections of at least one group that says the policy is designed

to keep government in the driver's seat.

"Government has the complete upper hand," Eriel Deranger, a spokeswoman for the Athabasca Chipewyan First Nation, said Monday. "We don't want government to be developing stuff for us; we want to be developing things in partnership with governments."

The final draft of how Alberta will conduct legally required consultation with aboriginal bands over resource development was quietly released Friday afternoon. The document, which will affect almost every company seeking to advance new resource projects, came after years of talks and is intended to reform an approach that all parties have agreed needs improvement.

Both industry and First Nations have said consultation, while required under the Constitution, has been too vague and too often ends up in expensive, time-consuming court procedures.

"The focus has been on ensuring the policy respects treaty rights and provides for orderly resource development on Crown land for the benefit of all Albertans," Kevin Zahara, spokesman for Aboriginal Affairs Minister Robin Campbell, said in an email to The Canadian Press announcing the policy's release.

"Based on feedback from First Nations and industry, the policy was revised to indicate that reconciliation is the basis for consultation."

Nobody from the department was available to answer questions on Monday.

Under the new rules, expected to come into effect this fall, a single government office is to set standards for when consultation is required and how much is enough. It is also to outline what would be necessary for what kind of project.

A levy on industry is to be imposed to ensure First Nations have enough resources to fully participate. The policy allows for benefits agreements between individual bands and companies to remain private, although the deals would be part of provincewide data that would be released.

The final draft is the third try at policy that has twice been harshly criticized by aboriginal leadership.

While Deranger acknowledges that small improvements have been made, major objections remain.

Government still refuses to consult over which lands should be made available for leasing, she said. That unwillingness to ask area aboriginals for input before exploratory work is allowed to begin is one of the main reasons the province's energy regulator has been forced to hold a hearing in Fort McMurray this week into an oilsands winter drilling program proposed by Vancouver-based Teck Resources (TSX:TCK), said Deranger.

"If the First Nations were consulted during licensing and permitting, the company could work out and mitigate those concerns at the very beginning, when they are applying, rather than be taken aback by an application that an exploratory project that they had been granted licence for is being contested."

The final draft puts decisions into when consultation has been adequate entirely within the provincial bureaucracy. First Nations will no longer be able to raise concerns about consultation at hearings held by the provincial energy regulator.

Deranger said timelines are likely to be too tight for small bands struggling to cope with massive industrial development. Nor does the document contain any provision for revenue-sharing.

David Pryce, vice-president of operations for the Canadian Association of Petroleum Producers, said industry is sympathetic to some aboriginal concerns. But he said they should be dealt with at a higher level.

"If there are policy questions about the merits of water use or some other broader question, we think that those need to be addressed by the Crown and not addressed at the project application stage," he said.

"People want a place to have that conversation. Enable that place."

Pryce added industry supports the policy's emphasis on predictable timelines and processes. He said industry is willing to pay the proposed levy, pointing out similar fees are already collected in B.C.

Zahara said aboriginal leaders will be consulted about the policy's implementation.

Deranger said aboriginal leaders are still studying the document before considering their next move.

Cultural respect is a health issue for Canadian aboriginals

[Ottawa Citizen](#)

August 18, 2013

Craig and Marc Kielburger

When Jane walked into emergency to make sure her abdominal pains didn't signal problems with her pregnancy, she rubbed at a speck of dirt irritating her eye. The nurses took a look at Jane and leaped to their own conclusion: a pregnant aboriginal teen with reddened eyes? She must be on drugs or abused. They interrogated her and, ignoring her explanations, called for a social worker. It was hours before anyone even looked into her abdominal pains.

When Anne visited a Vancouver Island hospital for a routine pregnancy checkup, a nurse read in her medical record that she was Métis, and saw a notation from years before about a child welfare issue, long since resolved. The nurse immediately called in child welfare. Anne's routine hospital visit turned into a Kafkaesque drama.

Jane and Anne are made-up names, but their stories are real. They are among those gathered by Sara Wolfe, a registered midwife in Toronto, and Dr. Don Wilson, who practices obstetrics and gynecology in Comox, B.C. and works with First Nations

people from across Vancouver Island. Both Wolfe and Wilson are members of Canada's First Nations, and they have helped the Society of Obstetricians and Gynaecologists of Canada update guidelines for providing culturally sensitive health-care services for aboriginal women.

Wolfe and Wilson have seen many such examples of the unfair stereotypes and cultural misunderstandings that aboriginal women all too often face in Canada's health-care system. Most Canadians walking into a hospital or doctor's office would never face what Jane and Anne did.

According to Statistics Canada, the average life expectancy of First Nations Canadians is five years less, and for Inuit as much as 15 years less, than for non-aboriginal Canadians. Infant mortality is as much as four times higher in some aboriginal communities than the national average. The SOGC says evidence increasingly shows culturally sensitive health care leads to better health for aboriginal communities. However, Wolfe and Wilson say aboriginal women face a plethora of problems when they seek health care.

Wilson has more than once overheard doctors and nurses talking about aboriginal patients in derogatory terms, suggesting their health problems all stemmed from the fact they were aboriginal.

"People aren't getting good access to care because of stereotypes they are getting in mainstream health care," Wolfe says.

While poverty, drug abuse and sexual abuse rates are higher among the aboriginal population than for non-aboriginal Canadians, Wolfe says health-care professionals too quickly jump to the conclusion that they are a factor with every aboriginal patient they treat. As in the cases of Jane and Anne, doctors and nurses often immediately involve child and social welfare agencies without determining if they are needed.

Accommodating traditional practices is another area where the Canadian health-care system often falls short. For example, Wolfe explains that virtually all aboriginal cultures believe the placenta has a spiritual connection to the child and should not simply be discarded as medical waste after the birth. Each aboriginal nation has its own ceremonies for disposing of the placenta, but Wolfe says hospitals make it very difficult for mothers to reclaim the placenta after birth. One hospital, she says, required mothers to sign a form promising not to do anything "distasteful" with the placenta, such as eat it. "It was very condescending."

A survey of residents at Canadian hospitals conducted earlier this year by the University of Toronto found that, “residents have little background knowledge of indigenous women’s health.” Of the 17 medical schools surveyed, only four consistently included aboriginal health issues in their curriculum.

The SOGC has worked to advance culturally sensitive health care for aboriginal women since they published their first set of guidelines in 2001. The updated guidelines, published this summer, now include practical tips for front-line health-care workers such as: “Understand that there can be large cultural variations between patients. Get to know your First Nations, Inuit, and Métis patients individually and do not make assumptions.”

All sectors of Canada’s health-care system should have guidelines for delivering culturally sensitive care, and our medical schools must integrate education about aboriginal health and culture into their curricula.

When we walk into a hospital or doctor’s office, we all expect our health-care providers to be respectful of us and our individual needs. Canada’s aboriginal peoples — and women in particular — deserve no less.

***Craig and Marc Kielburger** are co-founders of the international charity and educational partner Free The Children. Its youth empowerment event, We Day, is in 11 cities across North America this year, inspiring more than 160,000 attendees from over 4,000 schools. For more information, visit weday.com.*

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Program aims to bring aboriginal offenders into community

[Access to Justice](#)

19 August 2013 08:00

Yamri Taddese

One weekend in 1990, a group of aboriginal elders went on a retreat to Birch Island, Ont., with an important mission. They were to decide if there could be a way for Ontario’s aboriginal communities to resolve matters without going into the formal criminal justice system that sees too many people going in and out of prison without meaningful correction.

The result of their consultation was what is now the Aboriginal Legal Services of Toronto's community justice program.

Aboriginal Canadians, as many reports have shown, make up a disproportionately large part of the prison system. Many reports, including a recent one by former Supreme Court justice Frank Iacobucci, have described the relationship between aboriginal Canadians and the justice system as a failure.

Colette McCombs, manager of the community justice program at Aboriginal Legal Services of Toronto, says engagement must fill the large gap between these communities and the justice system.

Instead of landing in prison, accused aboriginals own up to their offence when they come to the community justice program. Upon the Crown's approval, their cases divert to a healing circle with an average of three volunteer council members.

"They agree to do whatever the council asks them, and the counsel can ask anything of them other than jail time," says McCombs.

The program aims to help offenders feel a part of a community, says McCombs. "The fact that it's done in a circle means everyone is equal," she notes.

"There's nobody who is sitting at a higher level or behind a desk or anything."

The council, made up of members of the aboriginal community, is in a better position to understand the person's background. Every month, the council hears about 27 cases.

In its report on early resolution sectors, the National Action Committee on Access to Justice in Civil and Family Matters pointed to the need to be aware of those parts of society with "multiple problems and problem sectors."

"When clients identify their legal problems, they are just as likely to have two or more problems as they are to have only one. This is particularly true for certain demographic groups in the population, e.g., persons with disabilities, visible minorities, aboriginal clients, social assistance recipients, and young people," the report states.

The person brought to the circle "understands what's going on," says McCombs,



'The council members try to make the decision something that's achievable,' says Colette McCombs. Photo: Yamri Taddese

who notes that the language of the courts is often mysterious to those on trial. "They have a chance to tell their story, whereas that may not always happen in court."

In a system that sees many aboriginals without legal representation, programs like these are an alternative route to access to justice, says Mark Marsolais, who co-ordinates a similar program at the Odawa Native Friendship Centre in Ottawa.

"It's hard to get legal aid, and a lot of our people are very shy and they won't even look for lawyers," he says. It's a struggle McCombs, too, has noticed. The lack of representation gets so severe that "people are just pleading guilty because they just want to get it over with," she says.

The Odawa Native Friendship Centre has now put up multilingual signage in courtrooms in what Marsolais calls a major "unveiling."

The friendship centre makes efforts to reach out to the community through its web site and a Facebook account, says Marsolais. Although the program focuses on diversion, it also takes questions about the justice system, how to find native lawyers, and access to social services, he says.

"One of the most interesting things is that when you have the word justice in your title, you get all kinds of shoes walking in," he notes.

"We really go over the limit of what our mandate is to help people out."

The action committee's report on making justice and legal information accessible for all highlighted the need to build links with minority communities.

"Legal aid plans, public legal education organizations, and other legal information providers require greater capacity to keep pace with current information technologies and to build and sustain their network of diverse community links," the report stated. "In particular, they need to be able to reach communities that face specific barriers in accessing the justice system, such as aboriginal and immigrant communities."

Healing circle programs generally take all cases except murder, sexual assault, domestic violence, and drinking and driving. For those who go through these programs, there will be no criminal record.

Coming to a healing circle is free and upon arrival, McCombs says the individual can participate in smudging, a cultural ritual meant to cleanse negative energy.

The offender and members of the public discuss the person's background, goals, and "what they're up to these days," says McCombs. After the talk, the person

leaves the room while the panel drafts a list of tasks the individual is to complete.

There's a chance to renegotiate the tasks if the offender doesn't agree with them. But according to McCombs, "The council members try to make the decision something that's achievable. They want to set people up to succeed, not to fail."

Once people sign the council's decision, they get a caseworker who oversees the completion of their required tasks. Failing to do so means losing the ability to come to a healing circle should the person land in legal trouble again. Files can be reopened, McCombs says, but before people can meet with a council for a separate offence, they must complete their original requirements.

Of course, there are challenges to running programs like this one. Funding for the program has been an issue, McCombs says, noting youth caseworkers haven't had a salary increase since it began.

Once the council assigns the tasks, some of which can include getting help for addictions, finding timely treatment programs is also a challenge, says Marsolais.

The other challenge, McCombs notes, is having to educate new Crown counsel and police on what the program really does. She remembers once discussing a person's case with a police officer.

"Yes, we need to take that person out of the community," she recalls the police officer as saying.

"No, it's quite the opposite," she responded. "We're bringing them into the community."

This is the fourth and final instalment in Law Times' summer series on access to justice. The series has considered the issues raised in each of the working group reports prepared by the National Action Committee on Access to Justice in Civil and Family Matters.

Aboriginal council enlisted to help family find answers

[Brandon Sun](#)

Aug. 20, 2013 at 8:27 AM

Alexandra Paul

The family of a homeless man buried in an unmarked grave has enlisted the Aboriginal Council of Winnipeg to find out why it took authorities four months to inform them of the death.

Patrick Hall voiced questions at a news conference at Thunderbird House on why authorities made little effort to find the family of Wilson Hall, who lies in an unmarked grave at Brookside Cemetery.

"They didn't follow through with all the avenues to find his relatives," Hall said.

"There are ways and they didn't follow through and they didn't contact anyone. How many other people has this happened to: Where they bypassed the family?"

Damon Johnston, president of the Aboriginal Council of Winnipeg, said the council will conduct its own investigation, contacting police, the Chief Medical Examiner's Office and hospital authorities to answer questions about the process used to identify the deceased and the efforts to find family.

"We are making it clear up front that we want to work within the system to find out all the facts and we will be working with the authorities," Johnson said.

If it turns out systemic faults factored into the four-month delay, then the Aboriginal Council will call for changes in the system. "We want to make sure this never happens again," Johnston said.

Chickadee Richard, a clan mother with the Native's Women's Coalition on Missing and Murdered Women who also attended the press conference, said the Halls' experience raises troubling questions. "I'm sure the community is not going to be too happy to learn that up to 75 people a year are being buried without an identity.

There are obviously flaws here in the system," Richard said.

Some 75 bodies were unclaimed and turned over to the CME's office in 2012. About half were not connected with next of kin. The Anatomy Act doesn't expressly spell out which agency has responsibility to make such efforts.

Wilson Hall, 64, homeless by choice, died of a heart attack at St. Boniface Hospital in April. His identity was known and after the hospital made initial attempts to find next of kin, the body was handed to the Chief Medical Examiner's Office, which held it for 28 days before burial at Brookside.

Patrick Hall said Monday beyond family suspicions little effort was made to track down relatives, there's a broader concern, too.

Basic information, like his brother's identity, was the subject of mixed messages from different authorities and Hall said he wonders whether there is a standard process at all.

The family also wants to exhume the body from Brookside.

Relatives want a traditional burial at the Old Sioux Village cemetery near Portage la Prairie.

The CME's office investigated to find out why family was not notified until relatives filed a formal missing person's report with police this month and a match was finally made.

The family says health records, social assistance and justice records could have been used to find them.

Patrick Hall told reporters CME officials apologized last week at a face-to-face meeting. They also disclosed hospital and police authorities found a prescription pill bottle with his brother's name and doctor's name when he died. It was in his brother's jacket pocket.

Inexplicably, it didn't lead anywhere.

Hospital authorities didn't contact the doctor, according to the account Hall said the CME's office gave him.

"When I asked, 'Why?' (one official) he said, 'That's a good question.' "

"They tried to blame him, for his lifestyle. But what steps were taken to locate the family? My family is in shock right now."

Hall said he asked for a copy of the CME investigation but he was told he'd have to file an access to information request for it.

Patrick Hall said the records for his brother's prescription likely listed his own address, that of another brother, and the address for the Salvation Army Booth Centre, which was Wilson Hall's last known address.

As recently as 2002, it might have been a different story, Hall said.

He told reporters a similar situation occurred when another brother died and next of kin had to be notified. In that case, police asked media to circulate that brother's photograph. It worked. Family came forward to claim the body. That didn't seem to be an option this time and the family wonders why, Hall said.

The CME investigation did turn up evidence two agencies made efforts to contact the family, and the CME's office was told no family was on record at income assistance.

Hall said that's another discrepancy, since his brother's next of kin could also have been tracked down through the justice system. Wilson Hall had a criminal record.

At the same time, Hall also clarified the homeless hero Faron Hall is Wilson Hall's nephew, not his brother, as was reported earlier.

Leq'a:mel and Matsqui First Nations to receive 'green' funding

[Mission City Record](#)

20 August 2013 13:34

The Leq'a:mel and Matsqui First Nations will receive \$57,740 in provincial funding to kick-start their plans for clean energy projects.

The \$28,560 to be received by the Leq'a:mel First Nation will be earmarked for the creation of a community energy profile that will identify potential clean energy projects, including run-of-river hydro power, wind, solar, and bioenergy power.

Meanwhile, the Matsqui First Nation will put their share of the funding, \$29,180, towards conducting a preliminary assessment of clean energy opportunities, including hydro, wind solar, geothermal, and bioenergy power.

The Leq'a:mel and Matsqui First Nations are two of eight aboriginal communities across the province to receive this investment from the First Nations Clean Energy Business Fund.

"The Clean Energy Business Fund is a great program. It helps communities pursue sustainable energy opportunities and ensures that First Nations benefit from clean energy resource development through revenue sharing agreements," said Abbotsford-Mission MLA Simon Gibson in a press release.

Since 2011, the B.C. government has invested \$3.8 million in clean energy projects in 70 aboriginal communities across the province.

Public Safety to study aboriginal sex trade

[Regina Leader-Post](#)

August 20, 2013

Don Butler

Family members are increasingly involved in the domestic human trafficking of aboriginal women and girls for the purposes of sexual exploitation, according to Public Safety Canada.

The assessment appears in a tender for research into trends and issues in the trafficking of aboriginal women and girls. It says the involvement of both family

members and criminal organizations is an emerging trend that "appears to be a significant complicating factor" in their exploitation.

The research is intended to increase understanding of the trafficking of aboriginal women and girls in Canada. It will include at least 70 discussions with people who provide services to trafficked aboriginal women and girls or vulnerable communities, those who have studied the issue and people investigating or prosecuting crimes involving trafficked female aboriginals.

Public Safety wants the researchers to describe the extent and situations in which family members are involved in victimizing their relatives, clarify the relationship between human trafficking and domestic violence, and outline how gangs and criminal organizations are involved, with a focus on the trafficking of family members.

Experts agreed Monday that family members are involved in the trafficking of their own relatives in Canada, though it remains relatively uncommon.

Michele Audette, president of the Ottawa-based Native Women's Association of Canada, said she has heard stories from aboriginal parents who sold their own children for sex to pay for their addictions.

"I listened to some families where, because of their addiction to drugs and drinking, every two weeks they were trafficking their own children," she said. "I was so shocked.

"It's a small number, but it's there. Because of that, we cannot stay quiet or deny this reality doesn't exist in our First Nations communities."

The Canadian Women's Foundation is funding a national task force on sex trafficking of girls and young women in Canada that has met with more than 150 organizations and spoken to 50 survivors of sex trafficking.

Sandra Diaz, a member of the task force's staff team, said gangs and organized crime "are definitely at the helm of this enormous and serious issue that's happening right here in Canada." The role that family members play, she said, is not fully understood. "We haven't seen that there is an epidemic of families trafficking their daughters in Canada."

The task force looks forward to seeing the results of the Public Safety research "to get a sense of how big a percentage that is," she said. "There's an enormous need for more research. We don't have data. It doesn't exist in a way that is comprehensive and deep. So any research is good research."

A 2009 study of the trafficking of aboriginal women and girls in Canada by Anette Sikka then an LL. D candidate at the University of Ottawa, said participants indicated that many girls entered the sex trade through familial or peer relationships. Many "spoke of sisters coercing or forcing younger siblings into the sex trade to make money," Sikka's study says. Young girls command higher payments than older girls, it notes. "Many older women are unable to survive through their sex trade earnings, and thus engage younger family members into the trade."

Though media attention has focused on human trafficking involving people from other countries coming to Canada, most trafficking is domestic, and almost all involves sexual exploitation.

According to the RCMP's Human Trafficking National Co-ordination Centre in Ottawa, as of this June, prosecutors had secured convictions against 69 individuals in 45 cases involving human trafficking since 2005. More than 90 per cent involved trafficking of people already in Canada. "It is in many ways big business for gangs or organized crime," Diaz said.

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Hupacasath First Nation shines light on secretive Canada-China investment deal

[Canada First Perspective](#)

August 20, 2013

Mark Taliano

A small polity of First Nations peoples, the Hupacasath, could be the only obstacle to stop the ratification of what may well be the most devastating corporate empowerment treaty that this country will ever endure. And most Canadians, by design, know nothing about it.

In June, 2013, the 300-strong Hupacasath First Nation launched a court action with the Federal Court to stop ratification of the proposed 31-year trade treaty. The Chief Justice of the Federal Court presided over the hearings, and a decision will be made by the end of August, or in early September.

The Foreign Investment Promotion and Investment Agreement (FIPPA), signed in Russia, is a bilateral investment treaty that abrogates international and constitutional law, and essentially hijacks municipal, provincial, territorial, and federal laws that threaten the profitability of Chinese State Owned Enterprises (SOE).

A treaty as momentous in its import should merit open discussion, but instead, it has been cloaked in secrecy, which is consistent with the treaty itself. According to the treaty, if a Canadian law threatens the profits of a Chinese SOE, a secret tribunal, consisting of three arbitrators, and operating outside the jurisdiction of Canadian law, will adjudicate and award penalties, should it deem that profits have been compromised.

If, for example, a Canadian environmental regulation negatively impacts a Chinese SOE's extractive industry, then the Chinese company can sue for lost profits.

The secretive treaty has not even been ratified, and it has already negatively impacted Canadian legislation. Likely, the federal government's evisceration of environmental laws as spelled out in Bills C-38, and C-45, was an effort to appease Chinese "investors."

Should the treaty become ratified, it will also likely suppress any further efforts to reclaim federal oversight of environmental protections, since legislators will legitimately fear a lawsuit: the Chinese enterprises will be protected by a treaty that effectively supersedes Canadian laws.

Basically, China's corporate reach will be extended further into Canada, and our municipal, provincial, territorial, First Nations, and federal legislators will have their hands tied.

Despite the treaty's benign sounding name, it's more of a "protection" treaty, (of China's rules) than a "promotion" treaty. It does not "promote" trade by reducing tariffs for Canadian businesses, and most of the "trade" in capital will be flowing in to Canada, rather than out from Canada to China.

Other countries with strong resource bases, including Australia and Brazil, have refused the compromises inherent in such a treaty, but Canada appears to be less inclined to preserve its sovereignty, possibly for ideological "free market" reasons.

Gus Van Harten, Associate Professor at Osgoode Hall Law School, has comprehensively countered the Harper government spin. Van Harten's rebuttals to some of the government's "talking points" on FIPPA include:

- Instead of promoting growth, the treaty may undermine growth by removing value-added benefits from Canada's resource sector.
- The treaty's main role is to protect Chinese-owned assets from Canadian legislatures, governments, and courts, and vice versa (i.e corporate empowerment), though it is largely non-reciprocal since China's interests/capital will be (and currently are) far greater than Canada's current or anticipated investments in China.

- Regulatory differences between the two countries will create an uneven playing field as well. Canadian investors will have fewer protections from discriminatory treatment in China, since China's existing legal frameworks are opaque relative to Canada's (remaining) legal frameworks.
- There is also a huge disparity of capital flows, with most capital flowing in to Canada from China, so treaty protections are mostly one-sided.
- An Independent Commission has not studied the treaty, so Canadians are unaware of projected costs and benefits.

Even more important than the lop-sided nature of the treaty details, however, is that it reinforces and accelerates Canada's current trajectory towards international lawlessness.

According to the Royal Proclamation, 1763, the Canadian Constitution, 1982, and the United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP), prior consent and accommodation must be secured from First Nations peoples where there is overlap between, in this case, the corporate rights of a bilateral trade agreement and Aboriginal title, rights, and treaty rights.

The Hupacasath First Nation, with the support of Serpent River, Tsawwassen First Nations, UBCIC, and Chiefs of Ontario, launched its court action for these stated reasons:

- the federal government failed to consult with First Nations which breaches Aboriginal title, rights and treaty rights enshrined in the Canadian Constitution, Section 35;
- if ratified, FIPPA may allow the development of tar sands pipelines through First Nations' traditional and sacred territories by China state-owned companies;
- this FIPPA is being made with a foreign country on un-ceded lands where treaties have not been settled with First Nations;
- environmental standards gutted by Bills C-38 and C-45 may never be restored due to provisions in the FIPPA which impede first Nations' rights to protect resources for future generations;
- FIPPA was negotiated in secret by the Conservative federal government and would handcuff Canada for 31 years.

There is clear overlap between First Nation concerns and the concerns of all Canadians. Constitutional rights are shared by all Canadians, all Canadians are

partners to treaty rights, and all Canadians are supposedly protected by international laws and agreements.

The as yet unratified FIPPA treaty is a violation to these important rights and laws in the same sense that it is a violation to our sovereignty by superceding Canadian law.

The treaty is more than "NAFTA on steroids"; it might be more aptly described as an icon of the Harper government's debasement of both Canadian and international values.

Mark Taliano is a writer, activist and retired teacher.

Harper, Inuit leaders to hold big "Inuit-specific meeting" Aug. 22 in Nunavut: Leader hopes to see "something concrete and improves the quality of living for Inuit and Northerners"

[Nunatsiaq News](#)

August 21, 2013

Jane George



Prime Minister Stephen Harper, with Senator Dennis Patterson, talks to a supporter in Iqaluit on Feb. 23, 2012, when he announced \$11.1 million in funding for Nunavut Arctic College, to be spent between 2011 and 2016 on basic adult education, part of a \$27-million adult education package for the three northern territories. In his trip across the three territories this week, Harper is emphasizing economic development and job training. On Aug. 20, he announced a \$5.8-million grant for the Northwest Territories Mine Training Society. (FILE PHOTO)

Inuit leaders will finally gain what they have sought for more than a year: an ["Inuit-specific meeting to focus on Inuit and Arctic issues"](#) with Prime Minister Stephen Harper, when he visits the Nunavut community of Rankin Inlet Aug. 22 during [his six-day Arctic tour](#).

Sources have confirmed to *Nunatsiaq News* that the meeting with Harper will take place on the afternoon of Aug. 22. Officials representing regional Inuit organizations from all four Arctic regions in Canada will attend, as well as Inuit Tapiriit Kanatami and the Canadian wing of the Inuit Circumpolar Council.

An ITK spokesperson, Patricia D'Souza, had no comment to make when contacted Aug. 20 about a possible meeting or whether indeed such a meeting is scheduled.

Harper's agenda for that day in Rankin Inlet continues to be under a tight embargo for the few who have seen it.

But one of the many Inuit leaders expected to attend that Aug. 22 meeting said he hopes the discussions lead to "something concrete and improves the quality of living for Inuit and northerners," even if it's simply "a commitment to work together on issues related to the Arctic."

Mary Simon, the former president of ITK, said in January 2012 that Inuit needed to talk with the PM "about some of the critical issues facing Inuit today."

Some of the issues Simon wanted on the agenda included education in Inuit regions, as well as mental health services.

Both are issues that Simon said prevent Inuit from taking part fully in the work force.

ITK's ultimate goal at that time was to host a northern meeting with Inuit leaders, the PM, cabinet ministers and premiers of the Inuit-inhabited territories and provinces, all at the same table.

But it's not clear whether public government leaders for the regions where Inuit live will attend the Aug. 22 meeting.

First Nations mourn education pioneer

[Prince Albert Daily Herald](#)

21 August 2013 13:39

Matt Gardener

The Federation of Saskatchewan Indian Nations (FSIN) is mourning the loss of a dedicated fighter for indigenous treaty rights in education.

Teacher and longtime FSIN employee Carole Violet Sanderson died on Sunday in Prince Albert after a long battle for her health. She was 73.

First Nations residents remember Sanderson as a lifelong advocate for the defence of treaty rights in education.

"She was an educator by profession and she just kept that up all her life, as a teacher and as a leader and as a person who developed programming for First Nations people," former FSIN communications director Doug Cuthand said.

"She definitely made a big impact. There are a lot of people out there that look back on the work that she did and others at the time and it really changed the face of Saskatchewan First Nations."

Sanderson was born at Sturgeon Lake First Nation to William and Hannah Kingfisher in 1939. As a young child in 1945, she was taken away from her family to attend a residential school.

After high school, Sanderson attended teachers college in Saskatoon, becoming one of the first indigenous post-secondary graduates in the province. She spent many years thereafter as an on-reserve classroom teacher, during which she became convinced that change was needed in First Nations education.

Becoming one of the first employees of the fledgling FSIN, Sanderson took a leading role in re-establishing First Nations control over education through her work as a researcher on a special task force.

"The federal government had been transferring education over to the local school boards and the province, and there was no First Nations control," Cuthand said.

"So what people started to do was to push back and you had people taking kids out of school and insisting on the school on reserve, and that's where you get all those schools on reserves today."

"It wasn't the government's plan," he added. "It was the First Nations plan, and she was very much a part of that. She was working with the bands and helping them establish their own education systems and working with chiefs and councils and that type of thing."

Sanderson helped craft the policy Indian Control of Indian Education in 1972 alongside fellow academics, in addition to her work drafting the FSIN Education Act.

Her contributions helped lead to the establishment of the Saskatchewan Indian Cultural Centre (formerly the Saskatchewan Indian Cultural College), the First Nations University of Canada (formerly Saskatchewan Indian Federated College) and SIAST.

Formal recognition of Sanderson's work in indigenous education came when she received the Saskatchewan Order of Merit in 1994 and the Order of Canada in 1998.

Over the years, she sat with every prime minister from Pierre Trudeau to Paul Martin and helped contribute to the Canadian Constitution, the Royal Commission on Aboriginal Peoples and hundreds of other studies, position papers and pieces of legislation.

"Her voice was definitely heard at the table, because she was keen and knowledgeable on all the issues that were coming to the table," FSIN second vice chief in charge of the education portfolio Bobby Cameron said.

He added, "She was a lady who did the research, who did the reading before she went into a meeting so she could arm herself with the certain issues that are being tabled."

The impact of Sanderson's work is visible today in the dramatic growth of First Nations-controlled education.

Cuthand pointed to the schools' vastly increased resources and staff compared to previous decades.

"When we had the off-reserve schools, there was virtually nothing happening on reserves with the on-reserve schools," he said.

"We now have bus drivers and schoolteachers and the school administrators and the support services, like janitorial ... I'd say that the work that the FSIN did during that time -- and she was a big part of it -- definitely had an impact on the standard of living of the Saskatchewan Indian people."

Sanderson is survived by her daughters Dawn Sanderson-Robins, Andrea Sanderson and their father, former FSIN chief and Senator Sol Sanderson, as well as by her grandchildren, great-grandchildren and other family members.

Wake services will be held in the west end hall at Sturgeon Lake First Nation on the afternoon of Wednesday, Aug. 21. A memorial funeral service will take place at Sturgeon Lake Hall on Thursday at 11 a.m.

Donations to the First Nations University of Canada for a scholarship in Sanderson's name may be made in lieu of flowers. Those interested in donating should contact Grace McLeod at gmcLeod@fnuniv.com or 790-5950.

Native Canadian women sold on U.S. ships, researcher says: Report says First Nations women from Thunder Bay, Ont., trafficked in sex trade in Minnesota

[CBC News](#)

Aug 21, 2013 8:53 AM ET

Jody Porter

An American researcher says First Nations women from Thunder Bay, Ont., have been sold on ships in the harbour at Duluth, Minn.

Christine Stark said the port at Duluth is notorious among First Nations people as a site for trafficking women.

The masters student at the University of Minnesota Duluth said she has anecdotal reports of women, teenage girls and boys, as well as babies being sold on ships for sex.



The Ontario Native Women's Association says it also has anecdotal reports of women being trafficked across borders, or provincial boundaries, into the sex trade. (Istock)

"The women and children — and I've even had women talk about a couple of babies brought onto the ships and sold to the men on ships — are being sold or are exchanging sex for alcohol, a place

to stay, drugs, money and so forth.," Stark said. "It's quite shocking."

Stark said the sex trade on ships has been going on for generations, and includes Indigenous women from Canada.

Strong link between Thunder Bay, Duluth

"I have spoken with a woman who was brought down from Thunder Bay on the ships and talks about an excessive amount of trafficking between Canada and the Duluth-Superior harbor," Stark said. "There is a very strong link between Thunder Bay and Duluth."

Her current research is an offshoot of a 2007 report on prostitution in Minnesota, in conjunction with the Minnesota Indian Women's Sexual Assault Coalition. That report included interviews with 105 indigenous women in Minnesota who have been trafficked in the sex trade.

Stark said the stories that "women get brought out onto the boats and never come back" that she heard as part of that study begged further exploration. She's currently conducting interviews with 15 people to learn more about what happens on the ships.

The Ontario Native Women's Association (ONWA) said it also has anecdotal reports of women being trafficked across borders, or provincial boundaries, into the sex trade.

"We know that it's happening between Winnipeg and Thunder Bay, and there have been reports of it happening in southern Ontario across the U.S. border," said Kezia Picard, the director of policy and research with ONWA.

Poverty, lack of housing make women vulnerable

But Picard said more funding is needed for more formal research into how women are being spirited away.

"Another thing we're really trying to advocate for is additional research to understand what's happening and what sort of programs help women in this sort of situation to prevent it from happening," Picard said.

However, Picard said some of the reasons First Nations women are vulnerable to sex trafficking are all too familiar in indigenous communities.

"The reason that indigenous women and girls are sometimes trafficked has to do with all of these ongoing issues like poverty," she said. "Another one of the large risk factors for indigenous women and girls is the lack of housing ... women will sometimes engage in survival sex, not of their choice, in order to have somewhere to live."

Picard said the ONWA hopes to work with organizations in Minnesota and Manitoba to learn more about the cross-border sex trade, and explore ways of keeping indigenous women and their children safe.

Lung disease preys on Inuit infants, drains government coffers

[Nunatsiaq News](#)

August 20, 2013



An air ambulance operated by Keewatin Air's Nunavut Lifeline on display at the Iqaluit air show in 2011. Aircraft like these are used across the Arctic to medevac Inuit infants who fall prey to lower respiratory tract infections such as RSV and who often require life support at hospital intensive care units. (FILE PHOTO)

Arctic governments and health boards already know that lower lung infections in infants — usually caused by respiratory syncytial virus, or RSV — cost millions of dollars a year to treat. Now, thanks to the first in a series of Arctic-wide studies by a team led by Toronto-based researcher Dr. Anna Banerji, they're now learning which Inuit regions suffer the worst infection rates and who pays the most to cope with them.

In Nunavut, it's the western Kitikmeot region that generated the highest proportion of sick babies requiring hospital care during the study period and the biggest total bill for their care during the study period, which ran from Jan. 1, 2009 to June 30, 2010.

Lower respiratory tract infections, or "LRTIs," struck the Kitikmeot region at a rate of 389 per 1,000 live births during that time, when researchers counted all lung infections requiring hospitalization in infants less than a year old.

"The rates like that in the Kitikmeot area, I haven't seen rates like that anywhere in the world," Banerji said in an interview.

The cost? For each live birth in the Kitikmeot region, the Nunavut government's health department shelled out \$22,375 and the average cost per lower respiratory tract infection hospitalization came to \$57,535.

In total, the GN spent about \$1.5 million on medical transportation for sick babies in the Kitikmeot and about \$2.4 million on their hospitalization costs, at either the Stollery Children's Hospital in Edmonton or Stanton Regional Hospital in Yellowknife.

The only Arctic region to show a worse lung infection rate was Nunavik, where Banerji and her team found they occurred at a staggering 445 per 1,000 live births.

"The rates we have in Nunavut and Nunavik are higher than the rates documented in sub-Saharan Africa and many developing parts of the world. A lot of people don't recognize that we really do have, in a First World, resource-rich country, rates that are worse than the developing world," Banerji said.

At the same time, hospitalization costs for Nunavik — which involved either Tulattavik health centre in Kuujuaq, Inuulitisivik health centre in Puvirnituq or Montreal Children's Hospital — are lower.

That's because sick Nunavik infants travel shorter distances to receive hospital care.

There, the average hospitalization cost per live birth was \$10,333 and the total bill for the study period came to about \$3.9 million. And sick infants cost the system an average of \$23,203 each.

For the Qikiqtani region, lung infections in infants occurred at a rate of 202 per 1,000 live births and in the Kivalliq region, at a rate of 230 per 1,000 live births.

This meant the GN spent about \$5.9 million to care for gravely ill Qikiqtani infants and about \$5.7 million for sick Kivalliq infants during the study period.

The Kivalliq region racked up the highest average cost per lower respiratory tract infection admission: \$63,686.

And for all of Nunavut, GN bean counters were required to spend \$15.6 million on sick babies with these lung infections over the 18-months of the study.

This stands in marked contrast to the Northwest Territories, whose government spent only about \$1.5 million.

That's primarily because the NWT's lower respiratory tract infection rate was dramatically lower: only 38 per 1,000 live births, and average costs of only \$1,400 for each child born.

And in the Inuvialuit settlement region, or "ISR," whose population is primarily Inuit, lower respiratory tract infection rates were even lower: 18 per 1,000 live births with average costs of only \$690 per live birth.

"The big difference is that the Northwest Territories has lower numbers for the ISR area," Banerji said.

"Are their differences in access to health care? Are there differences in nutritional status? I don't know. The study doesn't address the "why" issues, but it does show a huge difference between regions on all the markers," she said.

Another difference is that in the NWT, sick infants with lung infections spend an average of only a quarter of a day in hospital, compared with the two-to-three day averages found in Nunavut and Nunavik.

"In the NWT it's a little bit higher than the South but it's not drastically higher. But in Nunavut, where you have 2.2 days of hospitalization per live birth, that's a huge number," Banerji said.

And she said that a study to be published in the future is likely to show that Nunavut and Nunavik infants suffer more serious, intense lung infections.

"All of that implies that these kids in Nunavut and Nunavik are sicker, but we have other information, which we're going to publish in other studies, which demonstrates definitely that children from Nunavut, especially in the Kitikmeot area, as well as Nunavik, are quite sick," Banerji said.

But for now, this study focuses on what matters most to government officials: money.

"To the policy-makers, money is a sounder argument, if you can prove that something is financially sound," she said.

To that end, one of her team's future articles will study the cost of using a new pharmaceutical agent called palivizumab, which is sold under the trade name "Synagis," versus the cost of not using it for prevention of respiratory syncytial virus.

The RSV virus, which can cause a respiratory illness called bronchiolitis, an infection of the smaller airways in the lower part of the lung.

Banerji also said the public should know that RSV and other lung infections lead to serious long-term consequences.

"We're talking about money but we should also be talking about the quality of life of these infants, and their long-term quality of life," she said.

"There are some studies that suggest these kids have changes in their lungs. No one knows how all this really impacts on the long-term," she said.

Feds must pay aboriginal spiritual leader \$32K for breach of prison contract

[The Province](#)

August 20, 2013

A 49-year-old man who provided elder and spiritual services to imprisoned aboriginals will receive more than \$32,800 in damages after a B.C. Supreme Court judge ruled the federal attorney general breached his contract.

Norman Diablo, who is known as "Walking Bear" and lives west of Williams Lake, was contracted to provide the services to federal inmates from April 1, 2006 until March 31, 2007.

But the court ruling says Diablo didn't get along with a female colleague who felt he was rude to her in front of the inmates at the Mountain Institution in Agassiz, and made comments like "women sure talk a lot."

The conflict was resolved at a subsequent resolution circle, with the parties agreeing Diablo would not work again in the same program as the female colleague, but his contract was terminated Sept. 21, 2006.

Justice Miriam Maisonville said an employer cannot terminate a contract if the alleged reasons for termination had been previously resolved and the solution was acceptable and acted upon by both parties.

Maisonville said Diablo is entitled to the amount of money he would have earned had the breach not occurred, and she has ordered the federal attorney general to pay him \$32,864, plus interest.

Extraction of groundwater riles First Nations: Chiefs want compensation for removal of water from their territory

[Vancouver Sun](#)

August 22, 2013

Kelly Sinoski

First Nations chiefs are calling on the province to start protecting their interests, claiming Nestlé Waters Canada extracted millions of litres of groundwater, for free, from their traditional territory without consultation or compensation.

Grand Chief Stewart Phillip, president of the Union of B.C. Indian Chiefs, says First Nations groups continue to be ignored by both provincial and federal governments despite a legal right to be consulted on all small-and largescale resource development projects, whether it's groundwater extraction or fracking in northeastern B.C.

"They don't want indigenous rights and interests to stand in the way," Phillip said. "Before even moving ahead with a plan, the law dictates that we need to be consulted at the outset. It's not optional.

"Unfortunately, we find ourselves spending an inordinate amount of time in the courts because the provincial government refuses to meet that standard."

The Chawathil First Nation is laying claim to 265 million litres of water Nestlé takes every year from a well in their traditional territory in Hope. They're backed by the Union of B.C. Indian Chiefs, which is broadening the claim to get the province to consult with First Nations about water in B.C.

This is not the first time that First Nations have battled over groundwater.

The Halalt First Nation asked the Supreme Court of Canada earlier this year to look at a controversial plan by North Cowichan to pump water for Chemainus from the Chemainus River's aquifers.

That move followed a November ruling by the B.C. Court of Appeal that granted the District of North Cowichan access to the water. The Halalt asked the high court to clarify who owns the groundwater under the reserve and aboriginal lands and whether the Crown should consider aboriginal title in its consultation process.

Phillip noted the Halalt are clearly worried about their water supply and warns the Chawathil's fight with Nestlé may reach a similar fate.

"The underlying issue is groundwater is completely unregulated and companies can come in and lay the groundwork for the privatization of fresh water," he said. "At this point we're saying we take issue with what's happened and we're serving notice."

Groundwater remains unregulated under B.C.'s existing Water Act, which means Nestlé does not require a permit to withdraw, bottle or distribute the water that it obtained for free from First Nations land. But First Nations argue local bands should be compensated.

"It's no different than the way business has been done in this province since Europeans first arrived, but it's time 'business-as-usual' practices change, because they're not working for our community and it's fundamentally unlawful," Chawathil First Nations Chief Rhonda Peters said in a news release.

"We are not anti-business, but we want to see business operate in a way that respects our rights and ensures that our community is benefiting from the use of our lands and waters."

B.C.'s environment ministry acknowledges that the province does not license or charge a rental for groundwater extractions, but has been working since 2011 on changes to the existing B.C. Water Act, which are expected to be introduced into legislation next year.

"British Columbia's proposed Water Sustainability Act will update and replace the existing Water Act, respond to current and future pressures on water - including groundwater - and position B.C. as a leader in water stewardship," Environment Minister Mary Polak said in the emailed statement.

But Phillip argued First Nations were not consulted on the new act and were denied a forum with the province regarding water in B.C. But the province maintains former environment ministers have met with the First Nations Leadership Council, which includes representatives of the Union of B.C. Indian Chiefs, while Polak plans to meet with them later this fall.

John Clague, a professor in the department of earth sciences at Simon Fraser University, said the province appears to be playing catch-up with its water

sustainability act and suspects that neither First Nations nor the public have been adequately consulted on the new legislation.

He suspects the province may not have realized the significance of groundwater until the issue with Nestlé arose, because there isn't a lot of commercial extraction around B.C. Groundwater is a hot-button issue, he said, because it's almost considered a mineral resource.

"It would be perceived by First Nations as being a resource available to them on their own lands that is being exploited illegally without them being consulted on it," he said. "It's a commodity that has value.

"When you begin to view anything as a salable commodity, the First Nations want to have a say in it. It's just a little more salt in the wound as far as they're concerned."

John B. Challinor, director of corporate affairs for Nestlé, said this is the first he's heard about the First Nations concerns. He maintains Nestlé bought the well from Aberfoyle Springs in 2000 and has run the company for the past 13 years, employing 75 people in the Hope community.

"I'm not aware of any discussions with the First Nations. They've never been in touch with me to talk about it and certainly if they felt there was some sort of legal requirement or discussion to take place, we're always here," Challinor said.

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New law school aims to ease shortage of lawyers in northern, rural Ontario

[Fort Frances Times](#)

22 August 2013 - 7:42am

Allison Jones

The inaugural class of Ontario's first new law school in decades starts this fall in a province already teeming with new lawyers, but these students will be steered away from the big-city fray.

As law school enrolments continue to rise and more students studying law abroad return home, a growing number of graduates are scrambling for a comparatively

stagnant number of articling positions — a 10-month work experience mandatory to become a lawyer.

But the so-called articling crisis never made its way as far north as Thunder Bay, Ont., where Lakehead University is set to unveil its new law school, said the new dean.

“If you talk to many of the law firms up here they’ll say, ‘Look, we’ve been trying to get an articling student for a number of years, we just can’t get the right one,” said Lee Stuesser, who has taught law for more than two decades.

“For years I’ve been saying to law students, ‘Look outside the big centres. There are jobs there.’ And you know what? They haven’t. So there is a shortage (of lawyers) here in the north.”

In March 2008 about six per cent of articling candidates couldn’t find a spot, according to the Law Society of Upper Canada. Three years later that number had risen to 12 per cent and by March 2012 approximately 15 per cent of potential lawyers were being left in the lurch.

The majority of articling spots are in Toronto, Ottawa, Windsor and London — which are all home to law schools — and just two per cent of the positions are in Ontario’s north, according to recent statistics from the law society.

An alternative to the current articling requirement meant to ease the crisis will be in place by the time Lakehead’s first class graduates, but law society treasurer Thomas Conway said he still hopes the school will help open up the north to new lawyers. Regions with the fewest lawyers per capita are often also the ones with the fewest new lawyers, law society statistics show. Lakehead hopes to fill that void, often referred to as the “greying of the bar.”

The law school will direct its students toward practising in traditionally under-served northern and aboriginal communities, as well as small towns and cities across the country.

Nishnawbe Aski Nation Deputy Grand Chief Goyce Kakegamic said he is “thrilled” with the new law school and hopes it prompts more First Nations people to become lawyers.

“Our people are kind of geographically bound,” he said, so having a law school close to home means they are more likely to attend.

The class of 55 students entering Lakehead’s law school this year includes seven people from First Nations communities. The law society reports that recently an

average of 18 to 24 aboriginal lawyers have been called to the bar each year. The process of establishing the new law school wasn't without its hiccups. When the university replaced a full-credit aboriginal world views course with a half-credit one on aboriginal law, a group of Lakehead students protested with a sit-in.

Stuesser said he believes the outcry has been resolved by offering a course on native Canadian world views as well as a second course on aboriginal perspectives, in which students will work with aboriginal communities.

The Nishnawbe Aski Nation supports the law school's decision, Kakegamic said, but wishes there had been a bit more dialogue with the community about the content of the courses. He was pushing for a retreat with the new faculty and First Nations leaders.

Sebastian Murdoch-Gibson, 21, participated in the sit-in with a group of fellow indigenous learning students, saying he felt that the original course was necessary to understand how law, economics and politics are viewed through an aboriginal lens.

But ultimately their protest ended after the group presented its concerns to the university senate.

"We believe on principle that an angry mob shouldn't dictate the curriculum of a university," Murdoch-Gibson said.

Alison Morris, 23, who is set to be part of Lakehead's first class, said the aboriginal aspect to the curriculum was one of the draws of the school.

"I can definitely see myself working in that field," she said.

"There are a lot of issues with the aboriginal community and it's really important for aboriginal lawyers to understand more about the aboriginal communities and it looks like that's what the program is going to try to get us to do."

Morris, who studied Canadian politics at the University of Victoria and Carleton University, grew up in small towns across Canada, spending most of her formative years in Revelstoke, B.C.

Lakehead focused its admissions on applicants from northern, rural and aboriginal communities, in the hopes that they will return to them to practice.

More than 50 per cent of the class is from northern Ontario, with another 20 to 25 per cent from smaller communities, mostly in Ontario, Stuesser said.

Lakehead tried for years to get provincial approval for a law school, and Stuesser said its niche is what made it stand out among other schools clamouring for one. "I'll be blunt, I think that many of those universities want a law school for the wrong reasons...They perceive it as being somewhat prestigious and secondly some of them see it as a means of good tuition revenue," Stuesser said.

"Where I think Lakehead had an advantage is that we're saying, 'Look, we need a law school because we want to serve our community and our community needs lawyers. The aboriginal community needs aboriginally aware lawyers. The local, smaller centres need lawyers.'"

A 2011 study sponsored by the Law Society of Upper Canada looked at the numbers of lawyers per capita across Ontario and, perhaps unsurprisingly, found Toronto to be the most densely populated, with one lawyer for every 227 people. The regions with the fewest lawyers per capita — including a region east of Ottawa, Chatham-Kent and Durham Region — have one lawyer for approximately 1,800 to 3,225 people.

Julia Tousaw, 24, another member of Lakehead's inaugural class, is from Goderich, Ont., and would like to return to practice law there or in another small community. Tousaw had no hesitations joining an untested program.

"I see it as a blank slate and maybe it's a great opportunity for us as 55 students to start a culture that is different and that you can't find elsewhere."

Bill to increase levy on treaty land activities going through despite opposition from both sides

[Medicine Hat News](#)

August 22, 2013

Tim Kalinowski

Alberta energy and resource extraction companies will soon be required to pay an additional levy on economic activities, to be doled out to First Nations groups.

According to incoming Bill 22, the "Aboriginal Consultation Levy Act," companies which benefit from economic activities on treaty land will have to pay an additional tax which would be administered and paid out to First Nations through Alberta's newly established First Nations Consultation office.

The bill will see it's third reading this fall in the Alberta legislature, and is expected to pass despite the objections of industry and aboriginal groups.

"Bill 22 is aimed at strengthening the First Nations consultation process to ensure that it is appropriate and meaningful. It is important First Nations have the capacity

and funding available to do a proper job on consultation and that is what this legislation is about,” said Aboriginal Relations Minister Robin Campbell in a news release earlier this year.

The bill has been criticized by energy industry representatives, who feel the application of the levy is unclear, First Nations peoples, who say they were not consulted by the government in the construction of the bill, and opposition MLAs, who earlier this year attempted to have the bill tabled for further study because they say the potential impacts on industry and First Nations have never been properly spelled out by the government.